

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

MARIE THERESA LAPEYROLERIE
SHAIKH aka MARIE THERESA SHAIKH
14221 North 51st Avenue, # 1133
Glendale, AZ 85306

Case No. 2004-182

Registered Nurse License No. 452039

Respondent.

DECISION

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on December 8, 2004

IT IS SO ORDERED this November 8, 2004.

Sandra R. Erickson

President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 BILL LOCKYER, Attorney General
of the State of California
2 PAUL V. BISHOP, State Bar No. 50133
Deputy Attorney General
3 California Department of Justice
1300 I Street, Suite 125
4 P.O. Box 944255
Sacramento, CA 94244-2550
5 Telephone: (916) 324-4618
Facsimile: (916) 327-8643
6

7 Attorneys for Complainant

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 2004-182

11 MARIE THERESA LAPEYROLERIE
SHAIKH, A.K.A. MARIE THERESA SHAIKH
12 14221 North 51st Avenue, #1133
Glendale, AZ 85306
13

OAH No.

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 Registered Nurse License No. 452039

15 Respondent.

16
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
18 proceeding that the following matters are true:

19 PARTIES

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of
21 the Board of Registered Nursing. She brought this action solely in her official capacity and is
22 represented in this matter by Bill Lockyer, Attorney General of the State of California, by Paul V.
23 Bishop, Deputy Attorney General.

24 2. MARIE THERESA LAPEYROLERIE SHAIKH, A.K.A. MARIE
25 THERESA SHAIKH (Respondent) is representing herself in this proceeding and has chosen not
26 to exercise her right to be represented by counsel.

27 3. On or about March 31, 1990, the Board of Registered Nursing issued
28 Registered Nurse License No. 452039 to MARIE THERESA LAPEYROLERIE SHAIKH,

1 A.K.A. MARIE THERESA SHAIKH. The License expired on June 30, 2003, and has not been
2 renewed.

3 JURISDICTION

4 4. Accusation No. 2004-182 was filed before the Board of Registered
5 Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent.
6 The Accusation and all other statutorily required documents were properly served on Respondent
7 on November 21, 2003. Respondent timely filed her Notice of Defense contesting the
8 Accusation. A copy of Accusation No. 2004-182 is attached as exhibit A and incorporated
9 herein by reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read, and understands the charges and allegations
12 in Accusation No. 2004-182. Respondent also has carefully read, and understands the effects of
13 this Stipulated Surrender of License and Order.

14 6. Respondent is fully aware of her legal rights in this matter, including the
15 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
16 counsel, at her own expense; the right to confront and cross-examine the witnesses against her;
17 the right to present evidence and to testify on her own behalf; the right to the issuance of
18 subpoenas to compel the attendance of witnesses and the production of documents; the right to
19 reconsideration and court review of an adverse decision; and all other rights accorded by the
20 California Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
22 each and every right set forth above.

23 CULPABILITY

24 8. Respondent admits the truth of each and every charge and allegation in
25 Accusation No. 2004-182, agrees that cause exists for discipline and hereby surrenders her
26 Registered Nurse License No. 452039 for the Board's formal acceptance.

27 9. Respondent understands that by signing this stipulation she enables the
28 Board to issue an order accepting the surrender of her Registered Nurse License without further

1 process.

2 RESERVATION

3 10. The admissions made by Respondent herein are only for the purposes of
4 this proceeding, or any other proceedings in which the Board of Registered Nursing or other
5 professional licensing agency is involved, and shall not be admissible in any other criminal or
6 civil proceeding.

7 CONTINGENCY

8 11. This stipulation shall be subject to approval by the Board of Registered
9 Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the
10 Board of Registered Nursing may communicate directly with the Board regarding this stipulation
11 and settlement, without notice to or participation by Respondent. By signing the stipulation,
12 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind
13 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt
14 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall
15 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
16 between the parties, and the Board shall not be disqualified from further action by having
17 considered this matter.

18 12. The parties understand and agree that facsimile copies of this Stipulated
19 Surrender of License and Order, including facsimile signatures thereto, shall have the same force
20 and effect as the originals.

21 13. In consideration of the foregoing admissions and stipulations, the parties
22 agree that the (Board) may, without further notice or formal proceeding, issue and enter the
23 following Order:

24 ORDER

25 IT IS HEREBY ORDERED that Registered Nurse License No. 452039, issued to
26 Respondent MARIE THERESA LAPEYROLERIE SHAIKH, A.K.A. MARIE THERESA
27 SHAIKH is surrendered and accepted by the Board of Registered Nursing.

28 14. The surrender of Respondent's Registered Nurse License and the

1 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
2 against Respondent. This stipulation constitutes a record of the discipline and shall become a
3 part of Respondent's license history with the Board.

4 15. Respondent shall lose all rights and privileges as an Registered Nurse in
5 California as of the effective date of the Board's Decision and Order.

6 16. Respondent shall cause to be delivered to the Board both her wall license
7 and pocket license certificate, on or before the effective date of the Decision and Order.

8 17. Respondent fully understands and agrees that if she ever files an
9 application for licensure or a petition for reinstatement in the State of California, the Board shall
10 treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations
11 and procedures for reinstatement of a revoked license in effect at the time the petition is filed,
12 and all of the charges and allegations contained in Accusation No. 2004-182 shall be deemed to
13 be true, correct, and admitted by Respondent when the Board determines whether to grant or
14 deny the petition.

15 18. Should Respondent ever apply or reapply for a new license or certification,
16 or petition for reinstatement of a license, by any other health care licensing agency in the State of
17 California, all of the charges and allegations contained in Accusation, No. 2004-182 shall be
18 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
19 Issues or any other proceeding seeking to deny or restrict licensure.

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: May 20, 2004.


MARIE THERESA LAPEYROLERIE SHAIKH, A.K.A.
Respondent

MARIE THERESA SHAIKH

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: June 7, 2004.

BILL LOCKYER, Attorney General
of the State of California

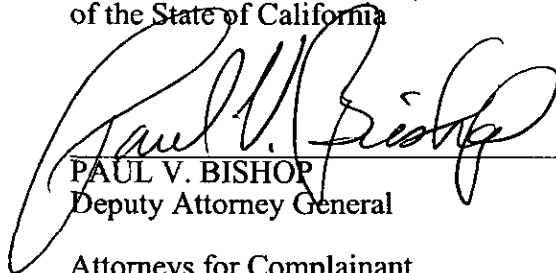

PAUL V. BISHOP
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No: 2004-182

1 BILL LOCKYER, Attorney General
of the State of California
2 PAUL V. BISHOP, State Bar No. 50133
Deputy Attorney General
3 California Department of Justice
1300 I Street, Suite 125
4 P.O. Box 944255
Sacramento, CA 94244-2550
5 Telephone: (916) 324-4618
Facsimile: (916) 327-8643

6 Attorneys for Complainant
7

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2004 - 182*

12 **MARIE THERESA LAPEYROLERIE**
13 **SHAIKH,**
14 **A.K.A. MARIE THERESA SHAIKH**
14221 North 51st Avenue, #1133
Glendale, AZ 85306
15 **Registered Nurse License No. 452039**

ACCUSATION

Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
20 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
21 Department of Consumer Affairs.

22 2. On or about March 31, 1990, the Board of Registered Nursing ("Board")
23 issued Registered Nurse License Number 452039 to Marie Theresa Lapeyrolerie Shaikh, also
24 known as Marie Theresa Shaikh ("Respondent"). The license expired on June 30, 2003, and has
25 not been renewed.

26 ///

27 ///

28 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

[illegible]

7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18

6
7
8
9
20
21
22
23
24
25
26
27
28

8
9
20
21
22
23
24
25
26
27
28

22
23
24
25
26
27
28

23
24
25
26
27
28

1 a. From on or about July 21, 2000, to on or about January 7, 2003,
2 Respondent was employed as a professional nurse at Arrowhead Community Hospital in
3 Phoenix, Arizona. On or about November 13, 2002, Respondent cared for Patient C.B., who had
4 undergone a laparoscopic appendectomy. Respondent administered Morphine Sulfate 4 mg. to
5 the patient only 1.75 hours after the previous dose had been administered to the patient, although
6 physician's orders specified the patient was to have it every 3 to 4 hours, as needed. Respondent
7 also failed to document the route of administration.

8 b. On or about November 13, 2002, at about 10:00 p.m., while caring
9 for Patient C.B., Respondent took telephone orders for pain medication from a physician.
10 Respondent transcribed the orders to increase the Morphine Sulfate up to 10 mg. and to
11 administer it with Phenergan 25mg. to 50 mg. every 3 to 4 hours, as needed. The physician
12 further ordered Demerol 50 to 75mg. intravenously or intramuscularly to be administered every
13 4 to 6 hours as needed. Respondent charted in two places on the medical record that the
14 physician had ordered the Demerol to be given if the increased dose of Morphine was not
15 effective.

16 c. On or about November 13, 2002, at about 10:30 p.m., Respondent
17 administered Demerol 75mg. and Phenergan 12.5mg. in response to the above order.
18 Respondent failed to administer the increased dose of Morphine first; failed to document the
19 route of administration; and administered less Phenergan than had been ordered. At
20 approximately 10:45 p.m., Patient C.B. was found without a pulse or respirations, but was
21 successfully resuscitated.

22 d. Respondent's documentation in Patient C.B.'s medical record
23 failed to clearly describe the patient's condition and the care she rendered to the patient.
24 Included in her documentation were incomplete sentences, incorrect grammar, repetitive words
25 and phrases. Respondent charted that at 10:45 p.m., "Respondent responded and the did respond
26 to questions." She also charted "pulse 53%" at this time.

27 ///

28 ///

1 e. On or about January 7, 2003, following her unsuccessful
2 completion of a corrective action plan, in which she was closely supervised, Respondent's
3 employment with Arrowhead Community Hospital was terminated.

4 f. On or about February 17, 2003, Respondent began employment as
5 a professional nurse at John C. Lincoln (Deer Valley) Hospital, in Phoenix, Arizona. According
6 to her personnel file, Respondent exhibited odd behavior and appeared to be in a daze when she
7 showed up for work at a time when she was not scheduled for work. According to Respondent,
8 the work schedule was changed after it was posted. Respondent also crossed out entries and used
9 "white out" on narcotics sheets. According to her personnel file, Respondent appeared on one
10 occasion to be overly tired, had difficulty counting narcotics, and had trouble focusing while
11 giving reports.

12 g. On or about May 14, 2003, Respondent submitted to a urine drug
13 screen, which was negative for all substances tested.

14 h. On or about June 12, 2003, the Arizona Board of Nursing
15 considered Respondent's case, and voted to issue an Interim Order for chemical dependency and
16 psychological evaluations by a Board approved addictionist, to include neuropsychological
17 testing, and any additional testing deemed necessary by the evaluator, to be started within
18 30-days, and completed within 60-days. On or about June 1, 2003, and June 23, 2003,
19 Respondent underwent the ordered evaluations with Phillip Lett, Ph.D. Dr. Lett noted that
20 Respondent was unable to answer the question, "In which direction does the sun rise?"
21 Respondent also did not know how many weeks there were in a year. Dr. Lett opined that
22 neuropsychological testing results showed Respondent's overall performance was significantly
23 below expectations given her age, education, and occupation. He remarked that Respondent
24 displayed remarkable inattention, and that attention was the most basic level of cognitive
25 processing. Dr. Lett opined that Respondent did not appear to be chemically dependent, and
26 recommended that she obtain a neurological evaluation to rule out specific neurological
27 processes that could explain her level of performance.

28 ///

8. A certified copy of the disciplinary action entitled: “In the Matter Professional Nurse License No: RN088227 and Practical Nurse License No: LP028572 issued to: Marie Theresa Shaikh,” is attached hereto as “Exhibit A” and is incorporated herein by reference.

CAUSE FOR DISCIPLINE

(Out-of-State Disciplinary Action)

9. Respondent's registered nurse license is subject to discipline under section 2761, subdivision (a)(4) of the Code, in that, as set forth under paragraphs 7a through 7h above, Arizona Professional Nurse License No. RN088227, and Practical Nurse License No. LP028572, issued to Respondent, were disciplined by the Arizona Board of Nursing Registered Nurse.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing the Board issue a decision:

1. Revoking or suspending Registered Nurse License Number 452039 issued to Marie Theresa Lapeyrolerie Shaikh, also known as Marie Theresa Shaikh;

2. Ordering Marie Theresa Lapeyrolerie Shaikh, also known as Marie Theresa Shaikh to pay the reasonable costs incurred by the Board in the investigation and enforcement of this case pursuant to section 125.3 of the Code; and,

3. Taking such other and further action as deemed necessary and proper.

DATED: 11/21/07

RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant